

REMARKS

The Examiner is thanked for the indication that claims 1-9 are allowable over the art of record.

Claims 1-9 and 21-24 are presented for consideration. Claims 1 and 21 are independent. No claims have been amended.

Rejection of Claims 21-24 Under 35 U.S.C. 102(b)

In paragraph 2 the Office Action, the Examiner rejected claims 21-24 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,708,291 to Bohr et al. ("Bohr"). Applicants respectfully traverse the rejection.

A claim is anticipated only if each and every element of the claim is found, either expressly or inherently, in a reference. (MPEP §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). The identical invention must be shown in as complete detail as is contained in the claim. *Id. citing Richardson v. Suzuki Motor Co.*, 868 F.2d 1226,1236 (Fed. Cir. 1989)).

Claim 21 recites in pertinent part "an amplifier having an output node; and a gain stage, coupled to the amplifier, having a trip point to track a potential on the output node." Applicants respectfully submit that Bohr is not properly applied to the claimed invention.

The Examiner asserts among other things that Bohr teaches an amplifier having an output node and cites the sensing circuit 400 as the amplifier and the output node 440 for that proposition. However, at column 6 lines 32-33, Bohr describes the sensing circuit 400 as "**static**, self-biased, high-sensitivity, low read current **sensing circuit**" (emphasis added), whereas **amplifiers** are typically characterized as being **dynamic**. Applicants respectfully request that the Examiner provide evidence, other than **a mere statement**, teaching that a static sensing circuit is equivalent to an amplifier.

The Examiner asserts that Bohr teaches a gain stage coupled to the amplifier and cites the inverters in the OR gate 505 as the gain stage for that proposition. Applicants respectfully submit that inverters typically are not regarded as “gain stages.” Nor are OR gates regarded as “gain stages.” Applicants respectfully request that the Examiner provide evidence, other than *a mere statement*, teaching that inverters and OR gates are equivalent to gain stages.

The Examiner asserts that Bohr teaches a gain stage having a trip point to track a potential on an output node and cites column 12, lines 58-62 for teaching an inverter in the OR gate 505 having a trip point to track the node 440 for that proposition. Applicants respectfully submit that the language at column 12, lines 58-62 in Bohr teaches “To provide further optimization, the *sizes* of the devices forming the OR gate 505 can be selected such that the trip point of the inverters within the OR gate 505 is *matched* to the reference voltage at the node 440 which provides maximum sensitivity” (emphasis added). That is, Bohr specifically states that the trip points of the inverters are *fixed* based on their size and do not change. Thus, Applicants respectfully submit that the trip points of the inverters within the OR gate 505 do not track a potential on the node 440 as the Examiner asserts.

Because Bohr fails to teach the elements the Examiner asserts it teaches, Applicants respectfully submit that Bohr therefore is not properly applied to the claimed invention. Bohr also therefore does not teach the identical invention of claim 21 as required by MPEP §2131. As such, Bohr fails to anticipate claim 21. Claims 22-24 properly depend from claim 21. As such, Bohr fails to anticipate claims 22-24 as well. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection to claims 21-24.

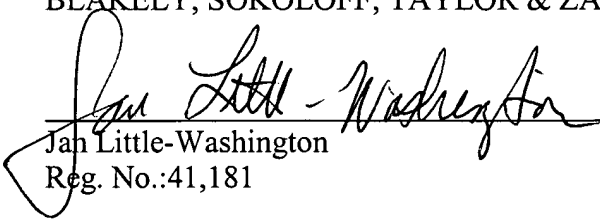
CONCLUSION

Applicants respectfully submit that all grounds for rejection have been properly traversed and that the application is now in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

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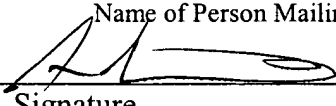
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